

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2008-006779-003 DT

05/28/2008

COMMISSIONER LISA ANN VANDENBERG

CLERK OF THE COURT  
L. Diggs  
Deputy

STATE OF ARIZONA

MANUEL DESI RUBALCABA

v.

GUSTAVO ADOLFO NAVE (003)

OFFICE OF PUBLIC DEFENSE  
SERVICES-CCC

Custody Status: Non-Bondable

VICTIM SERVICES DIV-CA-CCC

NOT GUILTY ARRAIGNMENT

10:23 a.m.

Courtroom ECB 813

State's Attorney:	Geoffrey Jones
Defendant's Attorney:	Jim Leonard
Defendant:	Present

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Let the record reflect that the Defendant enters a plea of not guilty to all charges.

The State has failed to comply with Rule 15.1(a), and as a sanction for the failure to comply, the Court shall impose the following deadlines:

IT IS ORDERED that the State comply with Rule 15.1(a) within 5 business days.

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In preparation for the Initial Pretrial Conference (IPTC), the parties shall do the following:

1. The defense attorney shall conduct a conflicts check within the office to determine whether a conflict exists. If a conflict exists, counsel shall staff the conflict with the appropriate supervisor, and counsel shall file the appropriate Motion to Withdraw so new counsel can appear at the Initial Pretrial Conference.

2. Motions to Modify Release Conditions shall be heard at the Initial Pretrial Conference. Motions shall be filed with the assigned Commissioner not later than 10 days prior to the Initial Pretrial Conference.

3. If a plea agreement is extended by the State, the State shall extend the plea not later than 10 days before the Initial Pretrial Conference. Defense Counsel shall make reasonable efforts to present the plea to in custody defendants before the Initial Pretrial Conference.

4. Motion for Rule 11 Evaluations shall be heard at the Initial Pretrial Conference. Motions shall be filed with the assigned Commissioner not less than 10 days before the Initial Pretrial Conference.

5. Defense Counsel shall prepare and file a List of Specific Items of Discovery required under Rule 15.1 (b), but which were not disclosed. See Rule 15.2(e). Such list shall be filed with the assigned Commissioner not less than 5 days before the Initial Pretrial Conference.

ANY MOTION TO MODIFY RELEASE CONDITIONS, OR RULE 11 MOTIONS NOT FILED BEFORE THE INITIAL PRETRIAL CONFERENCE WILL BE HEARD AT THE COMPREHENSIVE PRETRIAL CONFERENCE BEFORE THE ASSIGNED TRIAL JUDGE. ALL MOTIONS SHALL BE IN WRITING WITH SPECIFIC FACTS TO SUPPORT THE MOTIONS.

This case is assigned to Judge Arthur Anderson.

IT IS FURTHER ORDERED setting Initial Pretrial Conference for 07/09/2008 at 8:15 a.m. before Commissioner Newell.

IT IS FURTHER ORDERED affirming prior release conditions.

IT IS FURTHER ORDERED the Defendant submit to DNA testing within 5 days of release from custody at the arresting agency. Failure to comply with this order can result in the defendant's release being revoked.

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IT IS ORDERED that the Defendant shall contact and meet with his/her attorney in person no later than three weeks from this date, for the purpose of preparing for the Initial Pretrial Conference.

NOTICE TO DEFENDANTS:

Failure to comply with the above orders may result in revocation of Defendant's release from custody and/or the imposition of other sanctions.

The Defendant may be tried in his/her absence if he/she fails to appear for trial.

LAST DAY: 10/25/2008.

Matter concludes.